#### INTERNAL INVESTIGATION REFERENCE ARREST REPORT #18-01559

\*\*\*All descriptions and statements in this entire report are approximations or summarizations unless indicated otherwise.\*\*\*

In summary, on October 4, 2018, at approximately 0356 hours I received an email from Sergeant Rice #202 regarding a complaint against Officer Stephen Boik (see attached copy of email). Sergeant Rice completed a Norridge Police Department Employee Misconduct Inquiry/Complaint Form (see attached) and also typed up a statement surrounding the incident in question (see attached). Upon my arrival to the station around 0800 hours the above was in my mail bin and I reviewed the information I had.

At approximately 1340 hours I contacted the complainant, at the phone number on the form. I advised her who I was and the reason I was calling was about her complaint against an officer. She replied by stating that she was not sure if she wanted to sign a formal complaint against the officer. I asked her to come to that station today so I could speak to her. At approximately 1413 hours came to the station lobby. I brought ! The following is a synopsis of the conversation I had with Regarding the incident in question, stated that she was 'trash talking' while sitting on the bench in the room with the computer. She stated that when she was originally brought to the station the officer warned her that if she doesn't calm down she will be in here (a jail cell). While 'trash talking' she stated the officer (Boik) was fed up with her and was going to bring her to the cell. When he approached her he grabbed her left arm and took her over to the cells. stated that she was unsure if she wanted to sign a complaint form. I gave three options. She could sign the Citizen Complaint Form, not sign the Citizen Complaint Form or sign a Complaint Refusal Form. I told regardless of whatever her decision is I will be investigating her complaint and all facts regarding the case will be kept in a file. continued to say that she suffers from PTSD and has outbursts. Further, she stated that

she didn't think he's in the wrong but that she reacted with her PTSD.

I advised to call me if she wanted to sign a formal complaint against the officer.

I had Records Clerk Terry Peters copy in-station audio/video available for the time frames for . After reviewing all the available videos, it appears that the conduct in the custody of question occurred around 1411 hours in the Breath Op/Interrogation Room #1 (DVD marked Breath-OPS).

The video portion begins around 0203 hours with sitting on the bench in Interrogation
Room #1. She later starts making phone calls (possibly for bond)became verbally upset
with Officer Borowiec #30 who was in the room with her. Borowiec was sitting on a chair while
was yelling. Officer Boik enters the room around 1409 hours. is continuing to yell
with Boik present complaining about not having money for the impound fee (the vehicle she
was driving was towed). She was yelling about how the officers were not understanding her.
Officer Boik spoke softly and tried to calm down. After failed attempts to calm her down
he told her to put the phone down and, while she was still yelling, took her by her arm and
escorted her to the cell area. There was no unreasonable force used to escort After
Officer Boik and are out of camera view they can still both be heard talking. Officer Boik is
asking her to go into the cell and sit down. can be heard complaining and yelling. Officer
Boik raises his voice and Sergeant Rice enters the area and takes over.

As of October 16, 2018, I have not received any calls from regarding this complaint.

Based on the audio/video evidence along with photographic evidence indicating no marks on arm (see attached photo), I cannot find any excessive use of force used by Officer Boik. I have determined that the complaint against Officer Boik is: unfounded. This closes out this investigation into arrest report # 18-01559.

Wayne Schober

Deputy Chief Norridge Police Department

#### **Wayne Schober**

From:

Nicholas Rice

Sent:

Thursday, October 04, 2018 3:56 AM

To: Cc:

David Disselhorst Wayne Schober

Subject:

Formal Complaint Against Officer Boik

Chief-

Per general order 18-02 Subject Internal Investigation / Administrative Review, I am notifying you immediately of a formal complaint against Officer Boik. The complaint was classified based under section III. Complaint Categories , 2. Formal Complaints, a. Poor demeanor displayed by an employee and d. misuse of force.

I completed the Appendix A form (Norridge Police Department Employee Misconduct Inquiry / Complaint). The complainant was presented and explained Appendix B (Norridge Police Department Citizen Complaint Form) but refused to sign or write a statement.

The complainant was an adult female in custody for driving while her driver's license was suspended.

Sgt. Nicholas Rice #202

To: Chief Disselhorst From: Sgt. Nicholas Rice #202 Date: October 4, 2018 Subject: Alleged Misconduct On 10/4/18, at around 0200 to 0230 hours, DOB 1 was under arrest for driving on a suspended license. As I entered the lockup area by the breathalyzer machine, I heard a lot of yelling coming from the jail cell area. I heard the offender swearing and screaming. I then heard Officer Boik #41 swearing and yelling. At that point I walked back to the jail cell area and had Officer Boik exit the lock-up area. At that point, leave old me Officer Boik forcefully grabbed her left arm and squeezed it hard causing her pain. She pointed to her left elbow and said there were red marks as signs of injury. I looked at her left elbow and did not see any red marks or signs of injury. At that point I asked if she wanted an ambulance or medical treatment to which she declined. As I walked her back into the breathalyzer room she went on to say that Officer Boik assaulted her. I then asked her if she wanted to file an official complaint and she stated she would. I then left the lock up area and left means in the presence of Officer Borowiec. I then returned to the lock up area with a digital camera and took a picture of least left arm. I presented the Norridge Police Department Citizen Complaint Form and explained the form to then refused to sign or complete form. uncooperative and belligerent towards all police officers.

was then issued an I-Bond and released at around 0235 hours. Throughout the arrest was While in the roll call area, after was released, Officer Boik told me he never grabbed eft arm and for me to watch the video. He stated he was escorting to the jail cell by her right arm and never grabbed her using excessive force. Boik stated he did get verbally upset with to her attitude and lack of respect. Officer Borowiec stated he was following Officer Boik and to the lock up area and was in the door frame when the alleged misconduct occurred. Borowiec stated he did not witness the interaction between Officer Boik and

The alleged misconduct took place in the lock up area by the jail cells. I was not able to review the audio and video footage using the Exacqvision client software. The picture taken of elbow was placed into evidence locker #1.

# NORRIDGE POLICE DEPARTMENT EMPLOYEE MISCONDUCT INQUIRY/COMPLAINT

DATE: 10/4/18	TIME REC	EIVED: 2:06	AM
NAME OF COMPLAINANT: (Pr	int in "Anonymo		RFFVSF <b>D</b> fused)
ADDRESS OF COMPLAINANT		, City, State, Zip	Code)
TELEPHONE #: 773 (Home, Work, C	ell, E-Mail)		
DATE OF INCIDENT: 10/4/1	§ TIME	OF INCIDENT:	0110-0235
OFFICER INVOLVED: BOIK		S	TAR #_41
HOW WAS THE COMPLAINT	RECEIVED:		
☑ In Person ☐ Telephone	☐ Letter	☐ Third party	Other (Explain)
CITIZEN COMPLAINT FORM C			
TO SHE REFUSED TO	COMPLETE TH	E FORM	
After reviewing the initial compla classified as:	int and allegation	,(s) I believe the	inquiry should be
☐ Informal Inquiry (No formal a	ction or follow up	p necessary)	
Supervisor Action Taken:			
Administrative Review For should be initiated).	rmal Complaint o	of Misconduct (F	ollow up investigation
N Ru	202	10/4/18	m'
Supervisor's Signature	Star #	Date	Time

#### NORRIDGE POLICE DEPARTMENT CITIZEN COMPLAINT FORM



I,	of		
	allege th	at	
a Police Officer of the Vill as described on the attached of this incident will be inve	d form. I understand t	hat upon my swearing	to this complaint, the facts
I further understand that if a obtained or produced to sus complied statutes 720 ILCS defamation of character, or the State of Illinois.	tain this complaint, I 5/26-1(a)(4), filing a	may be liable for pros a false police report an	secution under Illinois d civil action for slander,
To the best of my k are true and correct.	nowledge and belief,	the statements I have	made on the attached form
To the best of mattached form are true and contact and contact are true are true and contact are true are tr			hat I have written on the
Signed:	Dat	e: 10/4/18  202  Star#	
Witness: <u>SCT NICHOLAS</u> Receiving O	fficer	<u>202</u> Star #	N. Ri 4202

Upon verification of this complaint, disciplinary action that is deemed appropriate will be taken.

#### Norridge Police Department Citizen Complaint Form Written Statement

Page 2 of 2

(Use Reverse Side of Paper if Necessary)

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Case / Report No.	18-01559	
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	Case / Report No.	18-01559			
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	Occurred From Date:	10-04-2018	Time:	01:05	
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#### NARRATIVE SUPPLEMENT

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Office non	ARGES fense Date II. 10-04-2018 cohate Substantive Offerest Type	LCS Code 625 ILCS Offense v arrest	e Location 460 Cita	ILCS Description DRIV LIC 00 THATCHER ation # (E-694-334-338		ED OR SU Penalty Cla	Petty Offe Disposition	ED UCR	2480 County Iss	suing W	BOIK,	STEPHEN  Court Room	
Office Arro	ARGES fense Date 10-04-2018 cohate Substantive Offerest Type On-view	LCS Code 625 ILCS Offense v arrest	e Location 460 Cita	ILCS Description DRIV LIC 00 THATCHER ation # 'E-694-334-338 District		Penalty Cla	Petty Offe Disposition	ense	2480 County Iss art Date & Tir 11-0	me 1-201 Superv	BOIK, /arrant  18 14:30 vision Length G DWLS, \$200	STEPHEN  Court Room	209
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Office	ARGES  fense Date 10-04-2018  cohate Substantive Offerest Type On-view ourt Name  ourt Disposition Date 04-26-2019  fense Date   II	Circuit Court  LCS Code 625 ILCS Offense  V arrest  Circuit Court  LCS Code 625 ILCS 5.6	e Location 460 Cita Y  Durt - 3rd I  Disposition  0/11-1204-i  se Location	ILCS Description DRIV LIC 00 THATCHER ation # E-694-334-338 District  ILCS Description	Disposition	ED OR SU Penalty Cla F Date Court Ct YE694 TY D STOP S Penalty Cla	Petty Offe Disposition ase # 1334,335,	ense UCR  UCR  UCR  UCR	2480 County Iss urt Date & Tir 11-0 Code 5060	me 1-201 Super	BOIK, /arrant  18 14:30 vision Length G DWLS, \$200 cer	STEPHEN  Court Room	209
HA Office Con	ARGES  fense Date 10-04-2018  cohate Substantive Offerest Type On-view ourt Name  ourt Disposition Date 04-26-2019  fense Date   II	Circuit Court  LCS Code 625 ILCS Offense  V arrest  Circuit Court  LCS Code 625 ILCS 5.6	e Location 460 Cita Y  Durt - 3rd I  Disposition  0/11-1204-i  se Location	ILCS Description DRIV LIC 00 THATCHER ation # 7E-694-334-338 District  ILCS Description D	Disposition  GUIL  ISREGAR	ED OR SU Penalty Cla F Date Court Ct YE694 TY D STOP S Penalty Cla	Disposition  SiGN  ass Petty Offe Disposition  Disposition	ense on UCR UCR UCR UCR UCR	2480 County Iss urt Date & Tir 11-0 Code 5060	me 11-201 Super PG F Office	BOIK, /arrant  18 14:30 vision Length G DWLS, \$200 cer	STEPHEN  Court Room	209 AR SU
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Tel: 708-453-4770 Fax: 708-453-9335

Case / Report No.	18-01559
CAD / CDC No.	#NPD18-009705

Occurred From Date: 10-04-2018 Time: 01:05

Occurred To Date: 10-04-2018 Time: 01:10

	Or an annual series					Occurr	ed to Date	: 10-0	0 <b>4-2018</b> Tir	ne: <b>01:</b>	10
		RSON S	UPPLEM	ENT		Report	ed Date:	10-0	0 <b>4-2018</b> Tir	ne: <b>01:</b>	03
	Name (Last, First Middle)			Address					Telephone (708)	Mobile	
•	Person Type PASSENC	GER	Employer / Oc	cupation	Address				Work	Fax	
PERSON 2	DOB/Age	Sex F	Race	Height 504	Weight 115	Hair BRO	Eyes Brown	Ethnicity	DL# / ID#		State
ERS	☐ Injured	Description of	Injuries				Treated by		Transported to	A 45 M	
"	☐ Discovered Crim	ie 🔲 Can ID	Suspect(s)	Notes / Rema	rks			- <del>1</del> 7, 11			
	LEADS Entry Date/Time/Number	Г	NCIC Entry D	ate/Time/Number		LEADS Cance	llation Date/Time/Nur	nber	NCIC Cancellation Date	/Time/Number	
	Name (Last, First Middle)			Address			**************************************		Telephone (709)	Mobile	
	Person Type		Émployer / Oc	cupation	Address				(708) Work	Fax	
N 3	DOB / Age	Sex	Race	Height	Weight	Hair	Eyes	Ethnicity	DL#/ID#		State
PERSON 3	☐ Injured	Description of	Injuries	502	101	BRO	Brown Treated by		Transported to		] IL
P		S C Con IC	) Suspect(s)	Notes / Rema	rks	, , , , , , , , , , , , , , , , , , ,	<u> </u>				
	☐ Discovered Crim  LEADS Entry Date/Time/Number			ate/Time/Number		LEADS Cance	lation Date/Time/Nur	nber	NCIC Cancellation Date	Time/Number	
	Name (Last, First Middle)			Address	Fi			16.	Telephone	bile	
	Person Type		Employer / Oc	cupation	Address		ar government again	49	(708) Work	Fax	
4 4	DARENT OF C	UARDIAN  Sex	Race	Height	Weight	Hair	Eyes	Ethnicity	DL# / ID#		IState
PERSON 4	48	M Description of		602	200	GRY	Blue Treated by		Transported to		IL
铝	☐ Injured	Description of		Notes / Rema	rice	4	Treated by		Transported to		
	Discovered Crim		Suspect(s)	rate/Time/Number	iks	TIEADS Capeo	llation Date/Time/Nur	nhar	NCIC Cancellation Date	Time/Number	
	LEADS Entry Date/Time/Number		NGIC EILIY D		1881 1881 1881	LEADS CAILCE	nation bate/fille/fedi	illooi		Mobile	
	Name (Last, First Middle)		T=	Address					Telephone	Fax	
	Person Type		Employer / Oc		Address			Territ 1 II		rax	State
SON	DOB / Age	Sex	Race	Height	Weight	Hair	Eyes	Ethnicity	DL# / ID#		State
PER	DOB / Age	Description of	Injuries	- Landau			Treated by		Transported to		
	☐ Discovered Crim			Notes / Rema	rks						
y i	LEADS Entry Date/Time/Number	r	NCIC Entry D	ate/Time/Number		LEADS Cance	llation Date/Time/Nur	nber	NCIC Cancellation Date		
	Name (Last, First Middle)	A S		Address	SELECTION (1997)				Telephone	Mobile	
	Person Type	- 1	Employer / Oc	cupation	Address				Work	Fax	
SON	DOB / Age	Sex	Race	Height	Weight	Hair	Eyes	Ethnicity	DL# / ID#		State
PERSON	☐ Injured	Description of	finjuries				Treated by		Transported to		
	☐ Discovered Crim	ne 🔲 Can ID	Suspect(s)	Notes / Rema	rks						
	LEADS Entry Date/Time/Number	г	NGIC Entry D	ate/Time/Number		LEADS Cance	llation Date/Time/Nur	nber	NCIC Cancellation Date		
	Name (Last, First Middle)		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Address					Telephone	Mobile	
	Person Type	A STATE OF THE STA	Employer / Oc	cupation	Address				Work	Fax	
NOS	DOB / Age	Sex	Race	Height	Weight	Hair	Eyes	Ethnicity	DL# / ID#		State
PERSON	☐ Injured	Description of	f Injuries				Treated by		Transported to		
	☐ Discovered Crim	ne 🗌 Can ID	Suspect(s)	Notes / Rema	rks						
	LEADS Entry Date/Time/Number	г	NCIC Entry D	ate/Time/Number		LEADS Cance	ilation Date/Time/Nur	nber	NCIC Cancellation Date	/Time/Number	



Tel: 708-453-4770 Fax: 708-453-9335

CAD / CDC No.		#NPD18-009705				
	Occurred From Date:	10-04-2018	Time:	01:05		
	Occurred To Date:	10-04-2018	Time:	01:10		
	Reported Date:	10-04-2018	Time:	01:03		

18-01559

# **APPROVALS**

	DATE APPROVED	REVIEW LEVEL	APPROVED BY
1	10/4/2018 5:21:49 AM	E/T (Level 1)	RICE, NICHOLAS
27	10/4/2018 5:21:49 AM	SUP (Level 2)	RICE, NICHOLAS
31/	10/4/2018 5:21:49 AM	INV (Level 3)	RICE, NICHOLAS
47	10/4/2018 5:21:49 AM	Level 4	RICE, NICHOLAS
5 V	10/4/2018 5:21:49 AM	Level 5	RICE, NICHOLAS
7	5/1/2019 9:58:44 AM	** FINAL APPROVAL **	PETERS, TERRY

Case / Report No.